

1 Craig J. Mariam (SBN: 225280)
cmariam@grsm.com
2 Anthony D. Phillips (SBN: 259688)
aphillips@grsm.com
3 Eunice J. Liao (SBN: 330655)
eliao@grsm.com
4 GORDON REES SCULLY MANSUKHANI, LLP
5 275 Battery Street, Suite 2000
San Francisco, CA 94111
Telephone: (415) 986-5900
Facsimile: (877) 306-0043
6 Attorneys for Defendant
7 BUYERQUEST, INC.

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

TRADESHIFT, INC., a Delaware corporation,) CASE NO. 3:20-cv-01294-RS
vs.)
Plaintiff,) **BUYERQUEST, INC.'S**
) **ADMINISTRATIVE MOTION TO FILE**
) **UNDER SEAL EXHIBITS TO MOTION**
) **FOR SUMMARY JUDGMENT AND TO**
) **FILE REDACTED MOVING PAPERS**
)
BUYERQUEST, INC., an Ohio corporation,)
Defendant.) *Declaration of Anthony D. Phillips, and*
) *[Proposed] Order filed concurrently herewith*
)
) Judge: Hon. Richard Seeborg
) Courtroom: 3 (17th Floor)
)
) Date: Sept. 9, 2021
) Time: 1:30 p.m.
)
) Complaint Filed: February 20, 2020
) **Trial: November 1, 2021**

1 Pursuant to Civil Local Rules 79-5 and 7-11, Defendant BuyerQuest, Inc. (“BuyerQuest”)
2 hereby moves to file under seal certain exhibits attached to the Declaration of Anthony D.
3 Phillips in support of BuyerQuest’s Motion for Summary Judgment and for leave to file a
4 redacted version of its Motion for Summary Judgment that references confidential information
5 contained in the exhibits.

6
7 Pursuant to Local Rule 79-5(e), BuyerQuest seeks to seal documents that have been
8 designated Confidential and or Highly Confidential under the Protective Order in this case
9 including:

- 10 • Exhibit A-1, a document Plaintiff Tradeshift, Inc. (“Tradeshift”) produced, bates stamped
11 TS_BQ_00000124-127 and designated Confidential.
- 12 • Exhibit A-2, a document Tradeshift produced, bates stamped TS_BQ_00000128-134 and
13 designated Confidential.
- 14 • Exhibit A-3, a document Tradeshift produced, bates stamped TS_BQ_00000016-52 and
15 designated Confidential.
- 16 • Exhibit B, a document Tradeshift produced, bates stamped TS_BQ_00000053-123 and
17 designated Confidential.
- 18 • Exhibit C, a document Tradeshift produced, bates stamped TS_BQ_00031139 and
19 designated Highly Confidential – Attorneys’ Eyes Only.
- 20 • Exhibit D, a document Tradeshift produced, bates stamped TS_BQ_00004378 – 4411
21 and designated Confidential.
- 22 • Exhibit F, a document Tradeshift produced, bates stamped TS_BQ_00032640 and
23 designated Highly Confidential – Attorneys’ Eyes Only.

Gordon & Rees LLP
275 Battery Street, Suite 2000
San Francisco, CA 94111

- 1 • Exhibit G, a document produced by Tradeshift, bates stamped TS_BQ_00007522 and
2 designated Confidential.
- 3 • Exhibit H, a document Tradeshift produced, bates stamped TS_BQ_00006823-26 and
4 designated Confidential.
- 5 • Exhibit I, excerpts of the April 20, 2021 deposition transcript of Jack Mulloy that
6 involve testimony related to documents designated Confidential.
- 7 • Exhibit J, a document Tradeshift produced, bates stamped TS_BQ_00000160-161 and
8 designated Confidential.
- 9 • Exhibit K, a document Tradeshift produced, bates stamped TS_BQ_00003056-3058 and
10 designated Confidential.
- 11 • Exhibit L, a document Tradeshift produced, bates stamped TS_BQ_00001648-49 and
12 designated Confidential.
- 13 • Exhibit M, excerpts of the May 11, 2021 deposition transcript of Debbie Gillman that
14 involve testimony related to documents designated Confidential.
- 15 • Exhibit N, a document Tradeshift produced, bates stamped TS_BQ_00000001-3 and
16 designated Confidential.
- 17 • Exhibit O, excerpts of the May 12, 2021 deposition transcript of Jason Barr, designated
18 Confidential.
- 19 • Exhibit P, excerpts of the May 7, 2021 deposition transcript of Peter Van Pruissen that
20 involve testimony related to documents designated Confidential.
- 21 • Exhibit Q, documents produced by Tradeshift and Smucker, bates stamped
22 TS_BQ_00011627; TJMSC0002189-90; TJMSC0002194; and TJMSC0014709-11 and
23 designated Confidential.
- 24
- 25
- 26
- 27

- 1 • Exhibit R, excerpts of the May 13, 2021 deposition transcript of Christian Lanng that
2 involve testimony related to documents designated Confidential.
- 3 • Exhibit T, a document BuyerQuest produced, bates stamped BQ000005 and designated
4 Confidential.
- 5 • Exhibit U, a document Tradeshift produced, bates stamped TS_BQ_00012541-42 and
6 designated Confidential.
- 7 • Exhibit V, a document Tradeshift produced, bates stamped TS_BQ_00031491 and
8 designated Confidential.
- 9 • Exhibit V-1, excerpts of the April 14, 2021 deposition transcript of Dan Roehrs that
10 involve testimony related to documents designated Confidential.
- 11 • Exhibit W, a document Tradeshift produced, bates stamped TS_BQ_00032419 and
12 designated Confidential.
- 13 • Exhibit X, a document Tradeshift produced, bates stamped TS_BQ_00032518-19 and
14 designated Confidential.
- 15 • Exhibit Y, excerpts of the April 16, 2021 deposition transcript of Luke Batman that
16 involve testimony related to documents designated Confidential, including a document
17 BuyerQuest produced, bates stamped BQ113492.
- 18 • Exhibit Z, a document produced by BuyerQuest, bates stamped BQ059229-235 and
19 designated Confidential.
- 20 • Exhibit AA, a document produced by Tradeshift, bates stamped TS_BQ_00000006-7 and
21 designated Confidential.
- 22
- 23
- 24
- 25
- 26
- 27
- 28

- Exhibit BB, excerpts of the April 29, 2021 deposition transcript of Sean Norton that involve testimony related to documents designated Confidential and Highly Confidential – Attorneys Eyes Only.
 - Exhibit CC, relevant portions of Tradeshift's Responses to BuyerQuest's Special Interrogatories, Set One, served on August 10, 2020, and designated Confidential and Highly Confidential – Attorneys Eyes Only.
 - Exhibit FF, a document produced by Smucker, bates stamped TJMSC0034689R and designated Confidential.
 - Exhibit GG, excerpts of the July 26, 2021 deposition transcript of Jason Barr, designated Confidential.
 - Exhibit HH, a document produced by Smucker, bates stamped TJMSC0034689R and designated Confidential.

Pursuant to Local Rule 79-5(e), BuyerQuest concurrently files a declaration establishing why the documents it designated are sealable. BuyerQuest expects that Tradeshift and Smucker will also file corresponding declarations establishing why the documents they designated are sealable. BuyerQuest respectfully requests the Court grant this Motion to Seal.

Respectfully submitted,

Dated: August 4, 2021

GORDON REES SCULLY MANSUKHANI, LLP

By:

Craig J. Mariam
Anthony D. Phillips
Eunice J. Liao
Attorneys for Defendant
BUYERQUEST, INC.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

Gordon & Rees LLP
275 Battery Street, Suite 2000
San Francisco, CA 94111